

U.S.A. vs ENRIQUE RIVERA-GARCIA & RICARDO PERALTA-ZAZUETA No. 08CR2053-WQH

The Court finds excludable delay, under the section indicated by check ( ☒ ),  
commenced on 6-30-08 and ended on 10-6-08; ( XT,XTI )  
and ended on 10-6-08 ( XT,XTI )

- 3161(h)  
\_\_\_ (1) (A) Exam or hrg for **mental or physical incapacity**  
\_\_\_ (1) (B) **NARA examination** (28:2902)  
\_\_\_ (1) (D) State or Federal trials or **other charges pending**  
\_\_\_ (1) (E) **Interlocutory appeals**  
\_\_\_ (1) (F) **Pretrial motions** (from flg to hrg or other prompt dispo)  
\_\_\_ (1) (G) **Transfers from other district** (per FRCrP 20, 21 & 40)  
\_\_\_ (1) (J) **Proceedings under advisement** not to exceed thirty days  
\_\_\_ Misc proc: Parole or prob rev, deportation, **extradition**  
\_\_\_ (1) (H) **Transportation** from another district or to/from examination  
or hospitalization in ten days or less  
X (1) (I) Consideration by Court of **proposed plea agreement**  
\_\_\_ (2) **Prosecution deferred** by mutual agreement  
\_\_\_ (3) (A) (B) **Unavailability of defendant or essential witness**  
\_\_\_ (4) Period of **mental or physical incompetence** of defendant to  
stand trial  
\_\_\_ (5) Period of **NARA commitment or treatment**  
\_\_\_ (6) **Superseding indictment and/or new charges**  
\_\_\_ (7) **Defendant awaiting trial of co-defendant** when no severance  
has been granted  
\_\_\_ (8) (A) (B) **Continuances** granted per (h) (8)-use "T" alone if more than  
one of the reasons below are given in support of continuance  
\_\_\_ (8) (B) (I) 1) Failure to grant a **continuance** in the proceeding  
would result in a **miscarriage of justice** and  
the ends of justice outweigh the best interest  
of the public and the defendant in a speedy trial.  
**(Continuance - miscarriage of justice)**  
X 2) Failure to grant a **continuance** of the trial would result in  
a miscarriage of justice as the defendant has tendered a  
guilty plea to a magistrate judge and is awaiting a  
determination as to whether the plea will be accepted.  
**(Continuance - tendered a guilty plea)**  
\_\_\_ (8) (B) (ii) 2) **Case unusual or complex**  
\_\_\_ (8) (B) (iii) 3) **Indictment** following arrest **cannot be filed** in thirty (30) days  
\_\_\_ (8) (B) (iv) 4) **Continuance** granted in order to obtain or substitute counsel,  
or give reasonable time to prepare  
**(Continuance re counsel)**  
\_\_\_ 3161(I) Time up to **withdrawal of guilty plea**  
\_\_\_ 3161(b) **Grand jury indictment time extended** thirty (30) more days

Date 6/30/08

DTA  
Judge's Initials

A  
B  
C  
D  
E  
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I  
M  
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T1  
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T4  
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W